United Nations A/51/PV.86

General Assembly
Fifty-first Session

Official Records

86th plenary meeting
Monday, 16 December 1996, 3 p.m.
New York

President: Mr. Razali . . . . . (Malaysia)

The meeting was called to order at 3.10 p.m.

Reports of the Second Committee

The President: This afternoon the General Assembly will consider the reports of the Second Committee on agenda items 94, 95, 96 and sub-items (a) to (g), 97 and sub-items (a) to (f), 98, 99 and 12.

I request the Rapporteur of the Second Committee to introduce the reports of the Second Committee in one intervention.

Ms. Corado-Cuevas (Guatemala), Rapporteur of the Second Committee (*interpretation from Spanish*): I have the honour to introduce the following reports of the Second Committee on items allocated to it by the General Assembly for consideration.

Under agenda item 12, entitled "Report of the Economic and Social Council", the Second Committee recommends, in paragraph 24 of document A/51/601, the adoption of three draft resolutions, and in paragraph 25 the adoption of two draft decisions.

Under agenda item 94, entitled "Macroeconomic policy questions", the Second Committee recommends, in paragraph 38 of document A/51/602, the adoption of one draft resolution under sub-item (a), "External debt crisis and development"; two draft resolutions under sub-item (b), "Financing of development, including net transfer of resources between developing and developed countries"; two draft resolutions under sub-item (c), "Trade and development"; and one draft resolution under sub-item (d), "Commodities". It also recommends in paragraph 39 the adoption of one draft decision.

Under agenda item 95, entitled "Sectoral policy questions", the Second Committee recommends, in paragraph 16 of document A/51/603, the adoption of one draft resolution under sub-item (a), "Industrial development cooperation"; and one draft resolution under sub-item (b), "Food and sustainable agricultural development". It also recommends, in paragraph 17, the adoption of one draft decision.

Under agenda item 96, "Sustainable development and international economic cooperation", the Assembly has before it the report of the Second Committee contained in document A/51/604 and Addenda 1 to 8. Document A/51/604 contains the introduction to the item.

In paragraph 7 of document A/51/604/Add.1, the Second Committee recommends to the General Assembly the adoption of one draft resolution under sub-item (a) on implementation and follow-up to major consensus agreements on development.

Under sub-item (b), entitled "Agenda for development", the Second Committee recommends, in paragraph 7 of document A/51/604/Add.2, the adoption of one draft resolution, and in paragraph 8 the adoption of one draft decision.

96-87106 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

In paragraph 7 of document A/51/604/Add.3, the Second Committee recommends to the General Assembly the adoption of one draft resolution under sub-item (c) on integration of the economies in transition into the world economy.

In paragraph 7 of document A/51/604/Add.4, submitted under sub-item (d), entitled "Population and development", the Second Committee recommends to the General Assembly the adoption of one draft resolution.

Document A/51/604/Add.5 contains the report of the Second Committee under sub-item (e) on human settlements, and recommends to the Assembly the adoption of one draft resolution, which is contained in paragraph 9.

In paragraph 7 of document A/51/604/Add.6 on sub-item (f) on eradication of poverty, the Committee recommends to the Assembly the adoption of one draft resolution.

Paragraph 9 of document A/51/604/Add.7, submitted under sub-item (g) on cultural development, contains one draft resolution recommended for adoption by the Assembly.

Paragraph 6 of document A/51/604/Add.8 contains one draft resolution for adoption by the Assembly, which was submitted under the item as a whole.

The General Assembly also has before it the report of the Second Committee on item 97, entitled "Environment and sustainable development", which is contained in documents A/51/605 and Add.1 to 7.

Document A/51/605 contains the introduction to the item.

In paragraph 8 of document A/51/605/Add.1, which was submitted under sub-item (a), entitled "Implementation of the decisions and recommendations of the United Nations Conference on Environment and Development", the Second Committee recommends to the General Assembly the adoption of one draft resolution.

Paragraph 8 of document A/51/605/Add.2 contains one draft resolution submitted under sub-item (b) on a special session for the purpose of an overall review and appraisal of the implementation of Agenda 21.

Document A/51/605/Add.3, the report of the Second Committee on sub-item (c) on the implementation of the Convention on Biological Diversity, contains one draft resolution in paragraph 7 recommended for adoption by the Assembly.

Under sub-item (d), entitled "Implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States", the Assembly has before it one draft resolution, which is contained in paragraph 7 of document A/51/605/Add.4.

In paragraph 7 of document A/51/605/Add.5, submitted under sub-item (e) on the protection of global climate for present and future generations of mankind, the Second Committee recommends the adoption of one draft resolution.

Under sub-item (f) on the International Decade for Natural Disaster Reduction, the Assembly has before it document A/51/605/Add.6. In paragraph 8 of that document, the Second Committee recommends to the Assembly the adoption of one draft resolution.

Document A/51/605/Add.7 contains a report of the Second Committee on the consideration of a draft resolution which had been submitted under item 97 as a whole. No draft proposals are recommended for adoption in that addendum.

Under agenda item 98, entitled "Operational activities for development", the Second Committee recommends in document A/51/606, paragraph 12, the adoption of one draft resolution, and in paragraph 13 the adoption of one draft decision.

Under item 99 of the agenda, entitled "Training and Research", the Second Committee recommends in document A/51/607, paragraph 15, the adoption of one draft resolution under sub-item (a) "United Nations Institute for Training and Research", and one draft resolution under sub-item (b) "United Nations University".

I should like to inform the General Assembly that during this session the Second Committee adopted 28 draft resolutions or draft decisions, all of which except one were adopted by consensus.

Before concluding, I should like to take this opportunity to thank all the members of the Second Committee for their contribution to the work of the Committee and to thank the Chairman, His Excellency Mr. Arjan Hamburger, and the two Vice-Chairmen, Mr. Kheireddine Ramoul and Mr. Mohammad Djabbarry for their efforts in successfully completing the work of the Committee. My thanks also go to Ms. Margaret Kelley, Secretary of the Second Committee, Mr. Vladimir Zelenov, Ms. Maritiza Struyvenberg and the other members of the Secretariat for their assistance and dedication.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Second Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Second Committee have been made clear in the Committee and are reflected in the relevant official records. May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee".

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to ten minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Second Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Second Committee. This means that where a recorded vote was taken, we will do the same. I should also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Second Committee.

Agenda item 94

Macroeconomic policy questions

Report of the Second Committee (A/51/602)

The President: The Assembly will now take a decision on the six draft resolutions recommended by the Second Committee in paragraph 38 of its report and on the draft decision recommended in paragraph 39 of the same report.

The Assembly will first turn to draft resolution I, entitled "Enhancing international cooperation towards a durable solution to the external debt problem of developing countries".

The Second Committee adopted draft resolution I without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/164).

The President: Draft resolution II is entitled "Net flows and transfer of resources between developing and developed countries".

The Second Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 51/165).

The President: Draft resolution III is entitled "Global financial integration and strengthening collaboration between the United Nations and the Bretton Woods institutions".

The Second Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/166).

The President: Draft resolution IV is entitled "International trade and development".

The Second Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 51/167).

The President: Draft resolution V is entitled "Transit environment in the landlocked States in Central Asia and their transit developing neighbours".

The Second Committee adopted draft resolution V without a vote.

May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/168).

The President: Draft resolution VI is entitled "Commodities".

The Second Committee adopted draft resolution VI without a vote.

May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 51/169).

The President: We turn now to the draft decision entitled "Documents relating to macroeconomic policy questions", which is recommended for adoption by the Second Committee in paragraph 39 of the report.

May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: I call now on the representative of Brazil, who wishes to make a statement in explanation of vote after the vote.

Mr. Florencio (Brazil): I have the honour to speak on behalf of Argentina, Bolivia, Botswana, Chile, Lesotho, Mozambique, Paraguay, Singapore, South Africa, Thailand, Uruguay and Brazil.

I wish to comment briefly on resolution 51/167, on international trade and development, which the General Assembly has just adopted. The resolution endorses the outcome of the ninth United Nations Conference on Trade and Development (UNCTAD) and expresses the political will and responsibility of the Member States with respect to implementing its agreed commitments, while welcoming the generous offer by Thailand to host the tenth session of UNCTAD, in the year 2000. It recognizes the far-reaching reforms implemented pursuant to the Midrand Conference, which encompassed UNCTAD's programme of work, its intergovernmental machinery, the reform of its secretariat and its cooperation with other organizations.

It also sends a clear message that the United Nations Conference on Trade and Development should now focus on implementing its substantive programme of work and that the savings generated as a result of the ninth session of UNCTAD should be reinvested in priority areas of UNCTAD's work.

Concerning the multilateral trading system, the resolution stresses the urgent need to continue trade liberalization in developed and developing countries and therefore to improve access for the exports of developing countries, and emphasizes the importance of the inaugural Ministerial Conference of the World Trade Organization, which was held in Singapore.

It also underscores the importance of the full, timely, continuous and faithful implementation of the Uruguay Round agreements and the need for a balanced approach with respect to the built-in agenda, as well as for an integrated approach to environment, trade and development issues.

This is the first time in the history of the United Nations that a draft resolution on trade and development has been jointly sponsored by developing and developed countries. The broad sponsorship it received is a reflection of the vitality and relevance of the global partnership for growth and development.

We are particularly grateful to the countries that joined in sponsoring this Group of 77 draft resolution, namely Australia, Belarus, Japan, Mexico, Norway, the Russian Federation, Turkey and the United States of America.

To a large extent we can credit this result to the strengthened partnership which emerged at the ninth session of UNCTAD, and we would like to thank South Africa, in its capacity as host country and President of the session, for having deployed all efforts to achieve this

result and to keep the momentum generated by the Midrand consensus.

The broad-based agreement that we have achieved in this resolution sets an example for the future work of the Second Committee.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 94?

It was so decided.

Agenda item 95

Sectoral policy questions

Report of the Second Committee (A/51/603)

The President: The Assembly will now take a decision on the two draft resolutions recommended by the Second Committee in paragraph 16 of its report (A/51/603) and on the draft decision recommended by the Second Committee in paragraph 17 of the same report.

The Second Committee adopted draft resolution I, entitled "Industrial Development Cooperation", without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/170).

The President: The Second Committee also adopted draft resolution II, entitled "Food and sustainable agricultural development", without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/171).

The President: We now turn to the draft decision entitled "Report of the Secretary-General on the use of freshwater resources for food and agricultural production". May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 95?

It was so decided.

Agenda item 96

Sustainable development and international economic cooperation

Report of the Second Committee (Parts I and IX) (A/51/604 and Add.8)

The President: We shall first consider Part I of the report of the Second Committee, contained in document A/51/604. May I take it that the General Assembly wishes to take note of Part I of the report of the Second Committee?

It was so decided.

The President: We now turn to Part IX of the report of the Second Committee, contained in document A/51/604/Add.8.

The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 6 of Part IX of its report.

The Second Committee adopted the draft resolution entitled "Communication for development programmes in the United Nations system" without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/172).

(a) Implementation and follow-up to major consensus agreements on development

Report of the Second Committee (Part II) (A/51/604/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of Part II of its report.

The Second Committee adopted the draft resolution, entitled "Implementation of the commitments and policies agreed upon in the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, and implementation of the International Development Strategy for the Fourth United Nations Development Decade". May I consider that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/173).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 96?

It was so decided.

(b) Agenda for development

Report of the Second Committee (Part III) (A/51/604/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of Part III of its report and the draft decision recommended by the Committee in paragraph 8 of the same report.

We turn first to the draft resolution entitled "Renewal of the dialogue on strengthening international economic cooperation for development through partnership", which the Second Committee adopted. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/174).

The President: We turn next to the draft decision entitled "Document relating to an agenda for development", which the Second Committee adopted. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted.

The President: We have concluded this stage of our consideration of sub-item (b) of agenda item 96.

(c) Integration of the economies in transition into the world economy

Report of the Second Committee (Part IV) (A/51/604/Add.3)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of Part IV of its report. The Second Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same.

The draft resolution was adopted (resolution 51/175).

The President: May I take it that it is the wish of the Assembly to conclude its consideration of sub-item (c) of agenda item 96?

It was so decided.

(d) Population and development

Report of the Second Committee (Part V) (A/51/604/Add.4)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of part V of its report.

The Second Committee adopted the draft resolution entitled "Implementation of the Programme of Action of the International Conference on Population and Development". May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 51/176).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (d) of agenda item 96?

It was so decided.

(e) Human settlements

Report of the Second Committee (Part VI) (A/51/604/Add.5)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 9 of part VI of its report.

The Second Committee adopted the draft resolution entitled "Implementation of the outcome of the Second United Nations Conference on Human Settlements (Habitat II)". May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/177).

The President: May I take it that it is the wish of the Assembly to conclude its consideration of sub-item (e) of agenda item 96?

It was so decided.

(f) Eradication of poverty

Report of the Second Committee (Part VII) (A/51/604/Add.6)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of part VII of its report.

The Second Committee adopted the draft resolution, entitled "First United Nations Decade for the Eradication of Poverty". May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/178).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (f) of agenda item 96?

It was so decided.

(g) Cultural development

Report of the Second Committee (Part VIII) (A/51/604/Add.7)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 9 of part VIII of the report.

The Second Committee adopted the draft resolution entitled "Report of the World Commission on Culture and Development". May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/179).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (g) of agenda item 96?

It was so decided.

Agenda item 97 *(continued)*

Environment and sustainable development

Report of the Second Committee (Parts I and VIII) (A/51/605 and Add.7)

The President: May I take it that the General Assembly wishes to take note of parts I and VIII of the report of the Second Committee on agenda item 97?

It was so decided.

(a) Implementation of the decisions and recommendations of the United Nations Conference on Environment and Development

Report of the Second Committee (Part II) (A/51/605/Add.1)

Report of the Fifth Committee (A/51/722)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 8 of part II of its report.

The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/51/722.

The Second Committee adopted the draft resolution entitled "Elaboration of an International Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa". May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/180).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 97?

It was so decided.

(b) Special session for the purpose of an overall review and appraisal of the implementation of Agenda 21

Report of the Second Committee (Part III) (A/51/605/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 8 of part III of its report.

The Second Committee adopted the draft resolution. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/181).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 97?

It was so decided.

(c) Implementation of the Convention on Biological Diversity

Report of the Second Committee (Part IV) (A/51/605/Add.3)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of part IV of its report.

The Second Committee adopted the draft resolution entitled "Convention on biological diversity". May I consider that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 51/182).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 97?

It was so decided.

(d) Implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States

Report of the Second Committee (Part V) (A/51/605/Add.4)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of part V of its report.

The Second Committee adopted the draft resolution. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/183).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (d) of agenda item 97?

It was so decided.

(e) Protection of global climate for present and future generations of mankind

Report of the Second Committee (Part VI) (A/51/605/Add.5)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of part VI of its report.

The Second Committee adopted the draft resolution. May I consider that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 51/184).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (e) of agenda item 97?

It was so decided.

(f) International Decade for Natural Disaster Reduction

Report of the Second Committee (Part VII) (A/51/605/Add.6)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 8 of part VII of its report.

The Second Committee adopted the draft resolution.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/185).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (f) of agenda item 97 and of agenda item 97 as a whole?

It was so decided.

Agenda item 98 *(continued)*

Operational activities for development

Report of the Second Committee (A/51/606)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 12 of its report and on the draft decision recommended by the Committee in paragraph 13 of the same report.

The Second Committee adopted the draft resolution, entitled "Progress at mid-decade on the implementation of General Assembly resolution 45/217 on the World Summit for Children", without a vote.

May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/186).

The President: We turn now to the draft decision entitled "Report on the activities of the United Nations Development Fund for Women".

May I consider that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: We have concluded this stage of our consideration of agenda item 98.

Agenda item 99

Training and research

Report of the Second Committee (A/51/607)

The President: The Assembly will now take a decision on the two draft resolutions recommended by the Second Committee in paragraph 15 of its report.

The Second Committee adopted draft resolution I, entitled "United Nations University", without a vote.

May I consider that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 51/187).

The President: The Second Committee adopted draft resolution II, entitled "United Nations Institute for Training and Research", without a vote.

May I consider that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 51/188).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 99?

It was so decided.

Agenda item 12 *(continued)*

Report of the Economic and Social Council (A/51/601)

The President: The Assembly will now take a decision on three draft resolutions recommended by the Second Committee in paragraph 24 of its report and on two draft decisions recommended by the Committee in paragraph 25 of the same report.

I shall put the recommendations of the Second Committee to the Assembly one by one. After all the decisions have been taken, representatives will again have the opportunity to explain their vote.

The Second Committee adopted draft resolution I, entitled "Institutional arrangements for the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities".

May I take it that the General Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 51/189).

The President: Draft resolution II is entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Finland, France, Germany, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, United States of America, Vanuatu

Abstaining:

Bahamas, Barbados, Belarus, Congo, Côte d'Ivoire, Croatia, Estonia, Fiji, Gambia, Georgia, Grenada, Kenya, Latvia, Liberia, Lithuania, Marshall Islands, Micronesia (Federated States of), Palau, Paraguay, Ukraine, Uruguay

Draft resolution II was adopted by 133 votes to 3, with 21 abstentions (resolution 51/190).

The President: The Second Committee adopted draft resolution III, entitled "United Nations Declaration against Corruption and Bribery in International Commercial Transactions".

May I consider that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 51/191).

The President: We will now turn to the two draft decisions contained in paragraph 25 of the report.

Draft decision I is entitled "Documents relating to the report of the Economic and Social Council".

May I take it that the General Assembly wishes to adopt draft decision I?

Draft decision I was adopted.

The President: Draft decision II is entitled "Biennial programme of work of the Second Committee for 1997-1998".

May I take it that the General Assembly wishes to adopt draft decision II?

Draft decision II was adopted.

The President: I shall now call on those representatives who wish to make statements in explanation of position.

Mr. Robinson (United States of America): The United States welcomes the approval today of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions. This achievement is the fruit of efforts by the United States and a broad coalition of sponsors to urge immediate and effective international action against the corruption and bribery of foreign public officials in international commerce. I thank all the sponsors for their valuable contributions, as well as the many other delegations that participated constructively in the drafting of the resolution.

In addressing the fiftieth session of the General Assembly, President Clinton called on the international community and the United Nations to act against new threats to our common security arising in an age of globalization. Corruption and bribery is one such issue. Whether it arises from drug or weapons trafficking, or from otherwise legal commerce, corruption must be eradicated.

The approval, by consensus, of this Declaration in the Economic and Social Council and now in the General Assembly is proof of the worldwide recognition that urgent steps are required to stamp out this corrosive practice.

Bribery distorts markets and hinders economic performance in both developed and developing countries. It substitutes graft for quality, performance and suitability in global markets. Bribes undermine democratic accountability. Weak Governments are further weakened by corruption, and emergent democracies are threatened. Finally, bribery creates a barrier to open competition and trade that disadvantages companies that refuse to engage in the practice. Companies with legitimate business practices are penalized.

Many have argued that bribery has been a standard business practice internationally. Today, however, there is further evidence that the tide is turning. Civilized nations are working together to raise the moral standard, to say "yes" to fair and honest commerce and "no" to corrupt practices.

The commitment of the United States to this effort is long-standing. Our Foreign Corrupt Practices Act, passed nearly two decades ago, was the first major blow against international commercial bribery.

Two years ago, the United States led the effort in the Organization for Economic Cooperation and Development (OECD) that resulted in the OECD's Recommendation on bribery in international business transactions, a remarkable breakthrough in the battle against corruption. The Recommendation calls on Member States to take concrete and meaningful steps to combat bribery. Successful negotiation of the 1994 Recommendation set into motion various initiatives in the OECD and other forums. In April, the OECD nations agreed that the tax deductibility of bribes paid to foreign officials should be eliminated. In May, OECD Ministers committed in principle to criminalize foreign commercial bribery in an effective and coordinated manner, and to consider specific proposals at the May 1997 ministerial meeting to accomplish this.

In this hemisphere, the Organization of American States concluded in March of this year the Inter-American Convention Against Corruption. The Convention serves as a powerful political statement by leaders of the hemisphere that they will no longer tolerate the corrosive effects of corruption on free markets and the democratic system.

The international financial institutions have also joined the fight against corruption and bribery. Both the Managing Director of the International Monetary Fund (IMF) and the President of the International Bank for Reconstruction and Development (IBRD) have spoken on their respective institutions' roles in this effort. In September the Interim Committee issued its Partnership for Sustainable Global Growth, which called for promotion of good governance and tackling corruption.

Finally, my delegation is pleased that this action was initiated in the Economic and Social Council. We believe that the most effective way to revitalize the Economic and Social Council is for the Council to tackle difficult cross-sectoral issues of great moment and relevance such as the one involved here.

The General Assembly's action today is the first truly global statement of international intent to stamp out this practice. We call on Governments to implement quickly and effectively the provisions of this Declaration and to support effective action in other regional and global forums against foreign corrupt business practices.

The President: I now call on the representative of Ireland, who will speak on behalf of the European Union.

Mr. Murphy (Ireland): As the European Union indicated on the occasion of the adoption of the corresponding resolution at the recently resumed session

of the Economic and Social Council — and copies of the statement made on that occasion are available in the Chamber — we strongly support the spirit of draft resolution III (resolution 51/191) in document A/51/601. That is why we have joined consensus on this text.

In the view of the European Union, the criminalization of corruption, and in particular corruption in its international aspects, is a complex issue. Any attempt to tackle it must, of necessity, require a thorough examination of the issue by legal experts. Such an examination must inevitably entail a study of the various ways in which the problem can most effectively be dealt with, including the possible negotiation of appropriate international instruments. The Union is prepared to explore actively, with all our partners, how the United Nations can pursue this matter more effectively. In this context, we are of the strong belief that the Commission on Crime Prevention and Criminal Justice is the most appropriate forum in which to take action.

As the European Union indicated during the negotiations leading to the adoption of the present text, we had certain specific concerns in its regard. In particular we consider that legal definitions should not have been included in a political declaration, especially as they are different from texts already agreed upon in other forums. In our opinion, the terms of the text now adopted do not prejudice any further negotiations in this context.

Mr. Petrella (Argentina) *(interpretation from Spanish)*: On behalf of the Argentine Government, I wish to express our satisfaction at the approval of the Declaration against Corruption and Bribery in International Commercial Transactions. The adoption of this document represents the culmination of a process that began years ago in this Organization and which has received the firm support of Argentina from its very inception.

This ratification is testimony to the growing viability of the United Nations as a forum for discussing and developing ideas that subsequently become binding for countries through the actions of the Governments themselves or of the appropriate international agencies.

Let me stress in particular that the United Nations has successfully responded to the fight against corruption from various angles. It has been studied in Economic and Social Council, in the Third Committee, in the Second Committee, and in the Sixth Committee. All of these forums, concluded that corruption not only undermines the republican system of government, but increases difficulties in commerce, generates arbitrary tariff increases, creates distortions in investments, and consequently weakens comprehensive development to the detriment of the people. In other words, corruption is a phenomenon that ultimately harms fundamental human rights.

This consideration has motivated Argentina's support for initiatives to actively eradicate corruption through the United Nations Conference on Trade and Development (UNCTAD), the Organization of American States (OAS), the United Nations and other bodies concerned with the problem. Moreover, this is the fundamental reason why our Government provided for the creation of a central office on ethics and the adoption of a code of ethics for our public officials.

Mr. Van Dunem "Mbinda" (Angola), Vice-President, took the Chair.

In this way we are fulfilling the recommendation contained in the recently adopted Economic and Social Council resolution, which includes in its annex the International Code of Conduct for Public Officials.

Mr. Vivas (Venezuela) (*interpretation from Spanish*): As one of the initial sponsors of the resolution adopted a few weeks ago by the Economic and Social Council, the Government of Venezuela is very pleased by the adoption of this text in the General Assembly in the framework of agenda item 12. We are convinced that the adoption of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions represents a significant step forward by the international community, because the struggle against all forms of corruption, bribery and related unlawful practices must be comprehensive and requires united action by all States. We hope that this Declaration will provide the foundation upon which a universal convention against the deadly scourge of corruption gradually can be built.

We cannot fail to take this opportunity to express our satisfaction at the initiative taken by the United States and the courageous support of numerous delegations in pursuing this exercise in the multilateral context of the United Nations, thus strengthening the agreements reached at the regional level at the March 1996 Caracas Inter-American Conference on Corruption, which was sponsored by the Organization of American States.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its

consideration of the chapters of the report of the Economic and Social Council allocated to the Second Committee?

It was so decided.

The Acting President: The General Assembly has thus concluded its consideration of all the reports of the Second Committee.

Agenda item 98 *(continued)*

Operational activities for development

Commemoration of the fiftieth anniversary of the operations of the United Nations Children's Fund

Draft resolution (A/51/L.59)

The Acting President: I call on the representative of Romania to introduce draft resolution A/51/L.59.

Mr. Gorita (Romania): I have the privilege to introduce, on behalf of a great number of sponsors, the draft resolution entitled "Commemoration of the fiftieth anniversary of the operations of the United Nations Children's Fund", which is contained in document A/51/L.59.

The operative part of the draft resolution congratulates the United Nations Children's Fund (UNICEF) on the occasion of its fiftieth anniversary and commends the Fund for the important contribution it has made during its first 50 years in promoting the survival, development and protection of children, and as an advocate of children's rights.

The short text of this draft resolution has behind it a long and impressive story of devoted and ceaseless efforts in the service of children all over the world. The story of UNICEF is about children whose lives were touched at some point by a unique organization trying to fulfil its noble humanitarian mission. The subject of this story is not UNICEF itself, but the lives of the children in need, irrespective of colour, creed or nationality, and the work done despite the many forces of division in a troubled world.

The achievements of UNICEF are not trophies of international goodwill but a fundamental duty of the family of nations. For all that has been accomplished, it has never been enough. Nothing sounds simpler than helping improve the lives of children. In fact, nothing could be more challenging and more complex. The only simple part is that everyone agrees nowadays that the child has a right to that help. As the Declaration on the Rights of the Child states,

> "mankind owes to the child the best it has to give". *(resolution 1386 (XIV), fifth preambular paragraph)*

Much can be said about what we must do for the survival, development and protection of children. What the Assembly is invited to do today is simply to acknowledge and praise UNICEF's role in serving the children of the world and to encourage it to do even better in future. The draft resolution we shall adopt is a modest token of our respect and support. I should like to thank the other sponsors of this draft resolution, which joined us in an impressive number.

Before concluding, I have the pleasure to inform the Assembly that the following countries have added their names to the list of sponsors: Algeria, Antigua and Barbuda, Australia, Botswana, Brazil, Bulgaria, Chile, Congo, Czech Republic, Djibouti, Eritrea, Gabon, Gambia, Grenada, Guinea, Guinea-Bissau, Iceland, Indonesia, Iran, Israel, Italy, Japan, Kazakstan, Lebanon, Liberia, Liechtenstein, Lithuania, Madagascar, Malta, Marshall Islands, Mongolia, Mozambique, Myanmar, Nepal, New Zealand, Niger, Oman, Panama, Paraguay, Poland, Portugal, Russian Federation, Rwanda, Saint Kitts and Nevis, San Marino, Senegal, Tunisia, Ukraine, United Kingdom, Viet Nam and Zimbabwe.

The Acting President: The Assembly will now take a decision on draft resolution A/51/L.59.

May I take it that the Assembly decides to adopt draft resolution A/51/L.59?

The draft resolution was adopted (resolution 51/192).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 98?

It was so decided.

Agenda item 56 *(continued)*

The situation in Bosnia and Herzegovina

Draft resolution (A/51/L.62)

Mr. Nobilo (Croatia): Today, four years after the first General Assembly debate on this item, we finally find ourselves in a new and promising situation. Bosnia and Herzegovina today is a country without the horrific violence that shocked the world — a country of relative peace that is welcomed by the whole world. It is also, in many ways, a new country, with a new name, new internal structures, and a new Government. Even though the country still faces various difficulties in implementing the Peace Agreement, there is a strong hope that the present peace will be maintained and that all outstanding and potential problems will be resolved through negotiation and not, as in the past, through violence.

This new and promising situation naturally leads us to look to the future and to tend to overlook the difficult past. But while Croatia also prefers to look to the future, it must also reflect on the past. For our country, which has suffered from the same causes and from some of the same consequences of aggression as Bosnia and Herzegovina, there are simply some all-too-important elements of the past that must not be forgotten or clouded by political expediency as we move forward from a new point of reference. By overlooking the past, we may also be opening the door for future generations to return to violence with misplaced anger and on false premises.

Most importantly, the Assembly cannot condone or accept likely future attempts to change the definition of the origins and the costly dimensions of this conflict or of its aggressor and victims. We have witnessed in the past too many attempts to equate the aggressor and the victims and to explain away violent expansionism on the basis of defensive nationalism.

Similarly, the Assembly cannot overlook the positive role that Croatia has played with respect to Bosnia and Herzegovina. Croatia was the first to organize the defence of Bosnia and Herzegovina together with equally forward-looking Government authorities in Bosnia and Herzegovina, and thus in 1992 saved the country from being completely overrun. Last year, in response to appeals from the competent authorities of Bosnia and Herzegovina, Croatia took action once again. First, in August, it saved the safe area of Bihac from the fate of Srebrenica, and then, in September and October, it secured the balance in Bosnia that set the stage for the present peace.

Moreover, over the past five years the Croatian Government has spent more resources per capita than any other in Governments providing for the safety and needs of the more than 800,000 Bosnian refugees who passed through Croatia during that time. By the end of this year, the Government will have spent close to $1 billion for their care — about $560 million in direct budget outlays. Furthermore it is still caring for 180,000 Bosnian refugees, in addition to its own 200,000 displaced persons.

Croatia's positive role in Bosnia is often overshadowed by the fighting that took place between the Bosniac and Croat communities in central Bosnia in 1993. This regrettable development cannot be viewed without taking into account two important issues. First, the direct cause of the conflict was an unbearable situation of scarce resources, in which three-fourths of the population of Bosnia and Herzegovina was reduced to living on one-fourth of its territory. Secondly, the heavy refugee burden and the military threat posed by the conflict to the strategic Dalmatian coastline ultimately became a critical issue for Croatia's internal security and sovereignty, at which point Croatia had to respond, with the eventual cooperation of the international community.

In future, as my Foreign Minister pointed out at the Paris conference last month, Croatia intends gradually to disengage itself from taking an active role on this issue. Over the past five years, due to the grave instability in that country, and the lack of international consensus on the proper way to stabilize the situation, Croatia has had to be engaged in such a way as to secure its own existence and internal stability.

We believe that the new internal structure of Bosnia and Herzegovina provides, under the circumstances, an acceptable, and perhaps the best possible mechanism for ensuring stability in that country. That stability can be strengthened further by linking the Federation to European security and economic structures. If any of the parties should seek to change the present internal structure, however, instability may ensue. An unstable Bosnia and Herzegovina would always pose a very serious threat to Croatia's internal security, because of the unique geopolitical relationship between the two countries. Should such instability occur, Croatia will always act to protect its security and sovereignty, though it first will seek the cooperation of the international community.

At present, Croatia considers the holding of municipal elections as the most important next step in the reintegration of the country. The election of new

popularly chosen local authorities who would have the legitimate support of the international community may be the only vehicle to re-energize past attempts to return refugees and displaced persons to their homes. The return of a substantial number of refugees and displaced persons is of course the optimum way to reintegrate Bosnia and Herzegovina.

The return of refugees is also important for Croatia because of the exceptional burden they represent, which we mentioned earlier. Unfortunately, over the past year, only about 36,000 Bosnian refugees have returned to Bosnia, and, of those, hardly any have returned to Bosniac or Bosnian Serb-controlled areas.

The return of refugees is also the key to the success of the Federation. Without the return of some 130,000 Bosnian Croats to areas controlled by the Bosniacs in central Bosnia, Bosnian Croats will have little incentive to share power in the Federation. Central Bosnia, which is home to one-third of the Bosnian Croat population, most of it now uprooted, is indeed the key to the success of the Federation.

At present, the Croats' failure to return to central Bosnia is due not only to obstruction by various illegitimate local authorities, but also to the inequitable distribution of international aid in that region and to the complete lack of any investigation by the International Criminal Tribunal into the war crimes committed against the Croats in central Bosnia.

My Government has been informed by one Contact Group member Government that 97 per cent of the aid to Bosnia has been distributed through Bosniac authorities. This type of distribution — if the information is true — is unacceptable.

The failure to investigate and prosecute of individuals responsible for crimes against Croats in central Bosnia is encouraging dangerous sentiments of collective guilt and discouraging the necessary reconciliation. Until actions are taken to reverse these two processes, Croats will not feel safe in returning to central Bosnia. Bosnian Croats, according to one reliable Western government survey, may have suffered the greatest level of personal injury among the three groups in Bosnia. This would be especially true for the Croats of central Bosnia, who were under siege for years by two armies. Unfortunately, not a single offender against this regional subgroup has been indicted by the Tribunal, while the group itself may have the highest number of residents indicted — 15 — from among all the regional subgroups. This too, is very troubling indeed.

Another element that has slowed the implementation of the Federation relates to the complete lack of working and living space for Croats in Sarajevo, the capital of the State and of the Federation. Less than five per cent of the total Croat population of Bosnia currently lives in Sarajevo; if Croats are to share equitably in the work of the Federation, we must immediately find room for them to live and work in Sarajevo. This is why my delegation lobbied very actively to have this issue reflected in the draft resolution associated with this agenda item.

Our wording has been included in paragraph 12 of the present text; by its terms, the General Assembly

> "urges the relevant international organizations to consider the provision of assistance to meet the infrastructural needs of the new common institutions of Bosnia and Herzegovina in Sarajevo, the capital of the State and Federation of Bosnia and Herzegovina". *(A/51/L.62, para. 12)*

We thank the Assembly for its support on this critical issue. We are also very grateful to the sponsors of the draft resolution and the Bosnian delegation for supporting our text, despite the fact that we could not join in sponsoring the draft resolution. Our sponsorship is contingent on full support for the draft resolution from the Bosnian Presidency. We fully support the draft resolution, and will vote in favour of it, but we place even greater value on cohesion and progress in the new common institutions of Bosnia and Herzegovina, and will await the position of the Presidency before sponsoring the text.

Mr. Bohayevsky (Ukraine): At last, the international community can sigh with relief. One year after the signing of the Peace Agreement at Paris in December 1995, we can state definitely that the final war of the cold-war period in the centre of Europe is over. It is no secret that the causes of this war lie deep in the totalitarian character of the society that existed in the region for more than 50 years.

At the same time, we have to realize that while the war in Bosnia has stopped, peace is far from being completely restored in the Balkans. A number of major causes of the civil war in Bosnia and Herzegovina have yet to be removed, and it is only a continuing sound international presence, both military and civilian, that can

prevent the resumption of hostilities even on a minor scale.

In this regard, we would like to welcome the results of the second Peace Implementation Conference recently held at London, which adopted a peace consolidation plan known as the Action Plan.

The Implementation Force (IFOR) established by Security Council resolution 1031 (1995) has successfully fulfilled its task. We therefore have to commend IFOR for stabilizing the situation in the region and creating favourable military and political conditions for the free democratic elections in Bosnia and Herzegovina that took place on 14 September 1996. The next stage of the peace process in the Balkans has started. Our delegation believes that the main objective of the international presence in Bosnia and Herzegovina is to consolidate this process and make it irreversible.

That is why Ukraine supports the establishment of the Stabilization Force (SFOR), pursuant to Security Council resolution 1088 (1996) of 12 December 1996, for a planned period of 18 months. This mission, in our opinion, is needed primarily to act as a deterrence force authorized to prevent hostilities, promote the arms control process, provide wide-ranging support for civilian reconstruction, and promote security for the municipal elections scheduled for next summer.

In this regard, I would like to emphasize my country's willingness to participate in SFOR. In spite of a very difficult domestic economic situation, the Government of Ukraine is making every effort to allocate the necessary financial resources which will enable it to continue its contribution of the Ukrainian battalion currently serving with IFOR. At the same time, we are considering the possibility of offering, on specific terms, various services by the Ukrainian armed forces, in particular, various types of engineering units and air transportation services, as well as railway construction troops to help in reconstruction activities in the region.

Alongside the successful IFOR mission, the organization and holding of general elections in Bosnia and Herzegovina on 14 September 1996, as well as their results, can be considered a success. Free and democratic elections in Bosnia have created a firm basis for the consolidation of a united State. They have also opened the door to the formation of new joint institutions in Bosnia and Herzegovina. Ukraine welcomes the establishment of the Collective Presidency and the Council of Ministers, and hopes that their activities will be directed towards rapprochement of the Entities that make up Bosnia and Herzegovina, and that they will function effectively to the benefit of all the peoples of Bosnia and Herzegovina.

At the same time, to our regret, these elections have shown the continuing deep ethnic discord in Bosnian society. That is why, at the present stage, measures for strengthening mutual trust between the ethnic communities in Bosnia and Herzegovina require special attention. In this context, we believe that the convening of an all-Bosnian conference of peace-loving forces, including the representatives of all parties, and political and public groups that support the reintegration of Bosnia and Herzegovina, would be of the utmost importance.

In many cases, history has taught us that lasting peace can be sustained only if it is accompanied by justice. In our view, the success of the work of the International Criminal Tribunal for the former Yugoslavia is important for stability in the region. Its investigations must be conducted on an unbiased and impartial basis, which constitutes the very essence of justice. Only under these conditions can its activities contribute to the peaceful consolidation of Bosnia and Herzegovina.

We cannot fail to mention the problem of the renewal of rights of national minorities that do not belong to the constituent Entities, such as ethnic Ukrainians. In this context, effective action is needed to eliminate obstacles to the early, safe and orderly return of refugees and displaced persons to their homes. In our opinion, international assistance is needed to facilitate their return and reintegration, including the construction of houses and basic infrastructure.

Peace will not arrive with a wave of a magic wand. Peace-building is a difficult and time-consuming process that demands patience as well as financial and material resources. In the long run, lasting peace rests on the economic prosperity of a society and each of its members.

Our delegation believes that economic reconstruction will finally define the viability of a united Bosnia and Herzegovina. In the process of the restoration and reconstruction of that State, top priority should be given to projects which would unite the Entities and promote economic cooperation between them. It goes without saying that all ethnic groups living in Bosnia and Herzegovina should equally enjoy the advantages of peaceful economic reconstruction, including international financial assistance.

In this context, let me remind this august body that the final act of the first London Peace Implementation Conference stipulated the creation of important economic opportunities for the countries neighbouring the former Yugoslavia. As a matter of fact, the western border of Ukraine is closer to Sarajevo than to Kiev, its capital.

We see the participation of Ukraine as well as other Danube riparian States in the process of economic restoration and reconstruction of Bosnia's destroyed economy as fair compensation for the billions of dollars which Ukraine and other States lost as a result of their strict observance of the economic sanctions imposed by the Security Council against the Federal Republic of Yugoslavia (Serbia and Montenegro). It should be taken into account that by suffering such economic losses, Ukraine directly contributed to the initiation of the Dayton process.

All the efforts of the international community will be in vain if there is no political will on the part of the leaders of the Entities deeply to bury the axes of war, and to build, brick by brick, a solid bridge of peace. We also understand that the major responsibility for the establishment of a lasting peace in the region and for bringing about reconciliation and economic, political and social rehabilitation lies on the shoulders of the peoples of Bosnia and Herzegovina. Let us wish them success in this very important endeavour.

Mr. Ka (Senegal) (*interpretation from French*): The war in the territory of the former Yugoslavia over the course of the past few years was, with its horrors, its enormous destruction, the significant number of displaced persons and the many violations of human rights and human dignity, one of the darkest and most tragic episodes in modern history.

The peoples of Bosnia and Herzegovina, after providing us for many years with the perfect illustration of harmonious interracial and inter-faith cohabitation and interaction, have unfortunately had to pay a heavy price for this war. Needless to say, the relief of the international community was great when, on 21 November 1995 in Dayton, the conclusion of the General Framework Agreement for Peace in Bosnia and Herzegovina was announced, and, when on 14 December 1995 in Paris, it was signed by the parties to the conflict. In one year, thanks to the commendable efforts of the entire international community, a great deal of progress has been achieved on the road to maintaining and consolidating a peace that is still imperfect, but which was far from evident before the signing of the Dayton accords.

On 15 December 1995, the Security Council, in its resolution 1031 (1995), expressed its satisfaction at the deployment of the multinational Implementation Force (IFOR) in Bosnia and Herzegovina. The presence of that force, together with that of the International Police Task Force, made it possible to create conditions propitious for a return to a certain degree of normality, even if we should underline that a great deal remains to be done. Indeed, many positive events have taken place. IFOR, in cooperation with the International Police Task Force, is guaranteeing the maintenance of the cease-fire throughout the territory of Bosnia and Herzegovina, and order continues to prevail in sectors where the risk of tension and incidents remains very high.

We were very pleased with the successful organization of the general elections on 14 September 1996, in which more than 2.5 million people participated. This great outpouring of courage and civic duty paved the way to the establishment, albeit still shaky, of common institutions for Bosnia and Herzegovina.

Despite this progress, which must be welcomed and encouraged, the situation in Bosnia and Herzegovina remains fragile because some parties have not yet demonstrated the necessary good faith in the implementation of certain important aspects of the peace accords. This is the case with the mission entrusted to the International Tribunal for the former Yugoslavia. On 19 November 1996, the President of the Tribunal, Judge Antonio Cassese, presented here his third annual report, which gave a clear and complete overview of the work accomplished by the Tribunal.

Despite largely positive results obtained in often difficult circumstances, it must be acknowledged that progress remains to be achieved. Indeed, the lack of cooperation on the part of certain parties, in particular in the pursuit and arrest of known war criminals, remains both disappointing and worrying. There can be no peace without justice, or justice without law. The International Tribunal, to which we have given that prerogative, must be able to act in seeking justice. Its credibility and authority are at stake.

Freedom of movement and the return of refugees and displaced persons to their original homes are far from being guaranteed, and constitute another challenge that the international community must deal with in the

face of the vague centrifugal impulses of the nationalist leaders of the Republika Srpska. These aspirations to carve up Bosnia and Herzegovina are extremely alarming. We must be vigilant so that the efforts made to date to maintain Bosnia and Herzegovina within specific and recognized frontiers will have not been in vain.

I should like to emphasize the importance of the role of the Stabilization Force (SFOR) recently established by Security Council resolution 1088 (1996). This Force, which will take over from IFOR, will have the difficult task of consolidating what has already been achieved on the road to peace in Bosnia and Herzegovina, while maintaining the force of law and supporting efforts made within the context of the relevant provisions of Peace Agreement.

My country, Senegal, which is a member of the Contact Group of the Organization of the Islamic Conference, has stood behind the international community in its efforts to restore peace and security in Bosnia and Herzegovina. In that context, we have always given our support, to the extent that we are able, to the Government and the peoples of Bosnia in their legitimate quest for a society reconciled with itself in peace and unity for the reconstruction of a country that has been sorely tried by more than four years of relentless war.

From that point of view, my country is pleased with the conclusions of the London Conference of 4 and 5 December 1996, at which the parties and the international community reaffirmed their willingness to provide the human and financial resources necessary for the reconstruction and development of Bosnia and Herzegovina.

Mr. Tanç (Turkey): The situation in Bosnia and Herzegovina continues to occupy a very important place in the agenda for peace and security in the Balkans and beyond.

Since the Dayton Peace Agreement, we have witnessed considerable progress. However, a lack of compliance on certain crucial aspects of the Agreement indicates that much remains to be done. As accurately indicated in Security Council resolution 1088 (1996), the situation in the region continues to constitute a threat to international peace and security.

The developments which took place in Bosnia and Herzegovina prior to the Dayton Peace Agreement proved once again that a lack of firm and prompt international response to aggression leads to further aggravation of crises, causes untold human suffering and makes it all the more difficult to find solutions.

The Dayton/Paris Peace Agreement therefore constituted a turning point in the events in Bosnia and Herzegovina. In this respect, we would like to express our full support for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto signed at Paris. They constitute the basis for the achievement of a durable and just peace in Bosnia and Herzegovina. In order to heal the wounds of the war and to achieve peace, security and stability in this vitally important country of Europe, it is incumbent upon the international community to exert every effort to help Bosnia and Herzegovina on this path, and also in the reconstruction efforts that are under way.

Turkey, along with other States, is actively participating in the implementation of both the military and the civilian aspects of the Dayton Peace Agreement.

With the draft resolution (A/51/L.62) before the General Assembly, the sponsors would like the Assembly to demonstrate once again its full commitment to the consolidation and stabilization of peace in Bosnia and Herzegovina. Work on this draft resolution started on 1 November 1996. Since that day, it has undergone intensive drafting in the light of recent developments. As sponsors, we have worked hard to accommodate various views to make this draft resolution a consensus text. We believe that it is high time for the international community to speak loud and clear and show that we are concerned about non-compliance by one or other party with crucial aspects of the Peace Agreement.

For this purpose, it is essential that all the conditions envisaged by the Dayton Peace Agreement, including the return of refugees and displaced persons to their homes, are put in place without delay. While we welcome the attention given to the protection and promotion of human rights in Bosnia and Herzegovina and to the establishment of the new common institutions in accordance with the provisions of the Peace Agreement, we regret the continuing obstruction faced by refugees and displaced persons wishing to return to their homes. We call upon all parties, including the relevant international organizations and Member States, to contribute to the formation of conditions necessary to facilitate their return.

We would like to stress the importance of the work of the International Tribunal for the process of

reconciliation in Bosnia and Herzegovina among its constituent peoples. Turkey supports fully the efforts of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, and believes that States and parties to the Peace Agreement must meet their obligations to cooperate with the Tribunal. In this context, we would like to draw the attention of the General Assembly to the third annual report of the International Tribunal, which in part states that

> "The degree of cooperation encountered has varied remarkably among these States and Entities. The Republic of Bosnia and Herzegovina has been by far the most cooperative party: it has replied to nearly every warrant addressed to it, explaining its inability to execute arrest warrants in Bosnian territories outside its control". *(A/51/292, para. 167)*

In the report, it is also stated that Republika Srpska has failed to execute any of the scores of arrest warrants which have been addressed to it or to explain its inability to do so.

Unfortunately, the Federal Republic of Yugoslavia (Serbia and Montenegro) has been portrayed as a party with an almost equally negative record of cooperation. It is important to note that, under the Dayton Accord, the Federal Republic of Yugoslavia (Serbia and Montenegro) is responsible for the Serbian Entity's cooperation and compliance as well as its own.

In this context we would like to stress the need for timely information about the level of cooperation and compliance with the Tribunal and its orders, the status of the return of refugees and displaced persons to and within Bosnia and Herzegovina and the status and implementation of the subregional arms control agreements.

Turkey welcomes the positive steps taken towards the normalization of relations between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia and Herzegovina. We encourage the Federal Republic of Yugoslavia (Serbia and Montenegro) to fulfil the requirement of establishing diplomatic relations with Bosnia and Herzegovina without any preconditions. We believe that such a development would eliminate another hurdle en route to normalization.

On the reconstruction front, we are pleased to note the positive impact of the two previous pledging conferences, held on 21 December 1995 and 13 and 14 April 1996, and chaired by the World Bank and the European Union. We believe that we cannot overemphasize the urgency of providing the pledged financial and technical assistance to the reconstruction efforts. Economic revitalization is essential for the process of reconciliation, for the improvement of living conditions and for the maintenance of durable peace, both in Bosnia and Herzegovina and in the region.

Turkey also welcomes the conclusion of the meeting of the Ministerial Steering Board and of the Presidency of Bosnia and Herzegovina held in Paris on 14 November 1996 in order to define the Guiding Principles of the Civilian Consolidation Plan of the peace process in Bosnia and Herzegovina, in accordance with the Dayton Peace Agreement.

Lastly, Turkey welcomes the conclusion of the Peace Implementation Conference, held in London on 4 and 5 December 1996, at which the Bosnian parties and the international community committed themselves to a detailed action plan to implement the Peace Agreement.

The Implementation Force (IFOR), led by the North Atlantic Treaty Organization (NATO), has played a crucial role from the time it was deployed until now in preserving peace and order and in ensuring progress on the rough road the peace process has been travelling. The fragility of the general situation in Bosnia and Herzegovina requires that the international community move with caution and determination in contemplating the future of that country.

It is significant to note that IFOR has brought together 33 NATO and non-NATO countries in an unprecedented coalition for peace, stability and political and economic reconstruction. Although IFOR's mission has been accomplished, an international military presence is still required to provide the stability necessary for consolidating the peace. In this context, we also welcome the Security Council's recent resolution 1088 (1996), which authorizes the Stabilization Force (SFOR) as the legal successor to IFOR under unified command and control in order to fulfil the role specified in annex I (A) and annex II of the Peace Agreement.

Turkey believes that SFOR, as a successor to IFOR, will contribute to a secure environment necessary for the consolidation and stabilization of peace, deterring or, if necessary, halting a resumption of hostilities. Turkey is prepared to contribute to SFOR as well.

The draft resolution (A/51/L.62) before the General Assembly reaffirms the international community's support for the independence, sovereignty, legal continuity and territorial integrity of Bosnia and Herzegovina within its internationally recognized borders, and calls upon all those who are obstructing the peace process to fully comply with all the provisions of the Dayton Peace Agreement and its annexes.

This is the most appropriate time to show that the General Assembly is strongly committed to supporting and ensuring compliance by all parties with the provisions of the Peace Agreement. There is no doubt in our minds that the draft resolution before us will send a strong message in that direction.

Mr. Osman (Sudan) (*interpretation from Arabic*): The Sudanese Minister for Foreign Affairs, speaking last September before the General Assembly, expressed the gratitude of Sudan that the Dayton Agreement had been concluded, thus ending a humanitarian calamity. We support that Agreement and were pleased at its signing.

Although we are convinced that the General Framework Agreement for Peace concluded at Dayton has paved the way to global peace, we nevertheless believe that the next stage of reconstruction and peace-building is a sensitive one. We call on the international community to provide the necessary assistance that has been promised to preserve this emerging peace.

In the same context, we would like to emphasize the importance attached by the international community during the London and Paris Conferences to the consolidation of peace. For peace to be comprehensive, and to end all threats, the international community must take the necessary measures with respect to States protecting war criminals. These criminals must be brought before the International Tribunal for the former Yugoslavia.

Another important point calling for the intervention of the international community is the question of refugees and persons displaced during the war, who number more than two million. The international community, through its specialized agencies, must facilitate the return of refugees to their homes so that they can participate in the reconstruction of the country.

Finally, my country is prepared to make every possible effort to assist Bosnia and Herzegovina in consolidating its structures and in becoming an important actor in the international community. In that respect, we support the draft resolution contained in document A/51/L.62 on the situation in Bosnia and Herzegovina.

Mr. Kulla (Albania): The Republic of Albania has been deeply concerned about the conflict in Bosnia and Herzegovina since its beginning. My country has contributed seriously, above all, to the lengthy process of identifying the causes of the crisis, which were related mainly to Serb ultranationalism and its supporters. We have also firmly supported the right of the Bosnian people to defend the sovereignty and territorial integrity of their own State.

During the crisis in Bosnia and Herzegovina, Albania actively cooperated with the international community, especially within the framework of United Nations efforts, to prevent the spill-over of armed conflict into the southern Balkans. It supported the measures undertaken by the Security Council regarding the sanctions against the former Yugoslavia, thus contributing to ending the war and ultimately to reaching peace in Bosnia and Herzegovina.

Meanwhile, we should keep in mind that it has been not only the Albanian State, but all Albanians living in their own lands and scattered in the various States of the former Yugoslavia as well, who have constantly been an important factor for peace and stability in the region.

The Albanian Government firmly supported the Dayton Peace Accord. We consider that Agreement to be a great victory of the international community, not only for stopping the war, but also for normalizing life in Bosnia and Herzegovina. The elections of 14 September constituted a very significant step to the restoration of peace and democratic institutions in that country.

However, regardless of the recent elections, I think that the situation in Bosnia and Herzegovina is still very fragile. Hostilities and hatreds inherited from the bloody war will take time to be deleted from the memory of society. As the post-election situation indicated to us, the lack of confidence and the hesitancy in implementing rigorously the Dayton Accord, are obviously alive in the post-war era. If they are not taken seriously into consideration, they will remain a real threat to further development.

Albania believes that the confidence-building measures, institutional stability and sustainable development that would bring that ruined country and its desperate populations a normal life require the continued

presence of the international community in Bosnia in the year to come. My country again expresses its goodwill and full readiness to cooperate in this regard.

The Republic of Albania appeals to the United Nations and its Member States to place, as soon as possible, the question of Kosovo on their agenda, in the spirit of Dayton. The peaceful contribution of and democratic means pursued by the Albanians in Kosovo and by their leadership should be considered positively through the international community's commitment to mediating in the talks between Priština and Belgrade for a just settlement of the political status of Kosovo.

Expressing its high consideration for General Assembly resolutions 49/204, 50/190 and 51/111 in this regard, the Republic of Albania again appeals to this global Organization and its Member States to continue their efforts for a just solution of the question of Kosovo, thus serving peace, stability and prosperity in the Balkan Peninsula.

In conclusion, I wish to reiterate the support of the Albanian Government and the Albanian people for the efforts towards the consolidation of peace, the building of institutions and the reconstruction of Bosnia and Herzegovina.

Mr. Sacirbey (Bosnia and Herzegovina): I have intentionally waited to speak towards the end of today's debate in order to make certain that several key issues are made fully clear. I will be brief.

The draft resolution before us frankly does not need to be defended. The draft resolution does not address issues that could be considered either controversial or divisive. It basically supports the Peace Agreement and the continuation of the peace process, as well as the most consensus reading of the United Nations Charter and international law. Some members might therefore ask: What is the controversy? What is the big deal? — especially in view of the debates surrounding previous resolutions on Bosnia and Herzegovina introduced before the General Assembly.

Well, I have asked myself the same question. The sponsors of the draft resolution, our delegation and many delegations here have endeavoured to make this into a consensus resolution and to eliminate any legitimate reason for dissent. Most of the delegations that have spoken today have most persuasively made the case for all the elements of this draft resolution and I do not believe that I could address the details any more eloquently, so I will not duplicate and unnecessarily take your time.

But again, what is it that should make this draft resolution in any way controversial?

A few, very few, delegations have tried to discourage any resolution on the situation in Bosnia and Herzegovina before the General Assembly. We, the sponsors and, I trust, most other delegations do not agree that the General Assembly should be discouraged from voicing its views on the peace process and on the situation in Bosnia and Herzegovina. After all, it was the previous debates and actions in the General Assembly before the peace accords were signed that made a most constructive contribution to the peace process and ultimately to the Dayton/Paris Peace Agreement.

The General Assembly's previous debates and resolutions not only confirmed the most relevant elements of the United Nations Charter, but they encouraged constructive compromise combined with a more proactive and consistent approach by some of the more responsible Member States. At that time, while on the one hand the Security Council technically remained seized of the matter, responsible members of the Security Council did not adequately address their obligations and actually take the necessary steps to bring about a real opportunity to stop the fighting and give peace a chance. The many individuals serving in the various international organizations, non-governmental organizations and the United Nations Protection Force (UNPROFOR) did contribute mightily and heroically to easing the suffering; however, it was the activist position of such as the General Assembly that finally compelled a greater resolve to bring about a real solution, a real remedy. The peace process is now moving forward very slowly and hesitantly, but nonetheless it appears there is still promise for success. Still, the obstacles are many and, unfortunately, the lack of resolve remains a predominant factor.

We Bosnians remember the most constructive role of the General Assembly while, during the first 42 months of war and brutal violations of international humanitarian law, the Security Council and numerous conferences failed again and again to find the resolve to bring the war to an end. We are not inclined to go back to the days where the Bosnia situation was debated and dictated behind closed doors without success, without the necessary will, without consistency under the principles

of international law and without transparency and accountability.

Frankly, they will not dare vote against such a basic and rather tame draft resolution as the one before us. But a few countries would prefer that the Assembly did not have a voice on the matter at all and that they not be held accountable to it. We do not want to be dealt with specially — just fairly. We will keep our commitments and we also expect the sponsors of the Peace Agreement to maintain their resolve and to compel compliance, even if one of the parties does not honour its promises under the Agreement. In such a situation, the sponsors of the Peace Agreement must not be allowed to create false excuses and to paint all of the signatories of the Peace Agreement equally culpable if political expediency so dictates.

Some of the detractors may attempt to cast doubt upon this draft resolution by disparagingly asking: Why is Bosnia and Herzegovina not a sponsor, if this draft resolution is so important? This discussion must be carried out here in this Hall rather than behind the scenes or in the hallways. I believe that, as a consequence, more than ever before, members will conclude the importance of bringing this resolution before the General Assembly.

The Peace Agreement has brought several different parties into the various governmental institutions of Bosnia and Herzegovina, including the Presidency of Bosnia and Herzegovina. Despite their seemingly clear commitment to some of the most basic elements of the Peace Agreement, some of the authorities in Bosnia and Herzegovina, unfortunately, refuse to implement these basic commitments. In fact, even after the latest reconfirmation of the requirement to cooperate fully with and comply with the orders of the International Criminal Tribunal for the former Yugoslavia, some of the authorities of the Republika Srpska within Bosnia and Herzegovina openly refute the necessity to comply. The requirement to comply under international law and the Peace Agreement is clear. Most importantly, the new Constitution of Bosnia and Herzegovina adopted at the Dayton/Paris talks also requires full compliance.

For this reason, and personally as a negotiator and signatory of the Dayton/Paris Peace Agreement, no doubt exists in my mind regarding full compliance with the Tribunal. This is an essential element of the Peace Agreement, and, frankly, I would not have been a party, a signatory, unless this had been clear. And finally, just to be fair, I do not believe that any one here, frankly, is disputing the requirement to comply with the Tribunal, except some of the aforementioned authorities of the Republika Srpska in Bosnia and Herzegovina. Unfortunately, though, some are not comfortable with being reminded of the obstinate failure by one party consistently to accept the authority of the Tribunal.

The reasons why the leadership of the Republika Srpska does not wish to accept the authority of the Tribunal are obvious. Some of its leaders have been indicted and many others may be indicted and could be held criminally responsible for the brutal crimes and genocide committed in Bosnia and Herzegovina. Refusal of the Tribunal's jurisdiction is an attempt to avoid the criminal prosecution of leaders who, unfortunately, continue to hold effective sway.

The reasons why some of the sponsors of the Peace Agreement may not be comfortable with the references to the Tribunal is because, unfortunately, there is still a lack of will to take the necessary steps to compel compliance. There may be a growing embarrassment. The sponsors of the Peace Agreement have placed the greatest emphasis on the institutional and more — if I may speak frankly — superficial aspects of the implementation of the Peace Agreement, which depend on the Bosnian parties themselves. Unfortunately, the same sponsors have exhibited less inclination to compel the implementation of those elements which may be more demanding upon them, including the arrest of indicted war criminals and the delivering of justice.

In order to maintain consistency to the new formal institutions of Bosnia and Herzegovina, my delegation will not co-sponsor this draft resolution without having received instructions from the new Presidency of Bosnia and Herzegovina. Frankly, I am not certain that I will ultimately receive such instructions since some in the Presidency are the very ones negating certain elements of the Peace Agreement — in particular, compliance with the Tribunal. That is exactly the reason why it is so critical for the peace process for the General Assembly to act. Otherwise, not only Bosnia, but the General Assembly as well will become subject to the lowest possible common denominator or position, which would avoid mention not only of the Tribunal, but also of any other more relevant element of the Peace Agreement which some would now hope to ignore or renege upon.

Therefore, we urge the General Assembly to make its voice heard, even though my own delegation may have to be formally silent on co-sponsorship. The voice of the General Assembly will promote justice,

consistency in application of the peace process and, in fact, the very survival of the peace process. Otherwise, if the only consequence of the Peace Agreement is that justice is denied, while the Bosnian delegation at the United Nations is muzzled and the General Assembly is silent, I do assure members that this would be a fatal blow to confidence in the peace process and the Agreement behind it.

We in Bosnia and Herzegovina must continue the very difficult and at times frustrating process of implementing the peace process and building common institutions involving all parties. In turn, we must ask the General Assembly to endeavour to ensure that the Peace Agreement be fully implemented and not selectively or superficially applied.

In summary, our delegation will vote in favour of this draft resolution purely on the basis that it is entrenched in the Peace Agreement and that the most basic elements are already formulated in Bosnia and Herzegovina's foreign policy.

There is one final matter: the draft resolution now includes a preambular paragraph that makes reference to the 3 December 1996 resolution unanimously adopted by all the judges of the International Tribunal — judges from Costa Rica, France, Malaysia, Egypt, Italy, the United States of America and other countries, who in fact were elected here by this very General Assembly. This resolution of all the judges expresses the growing frustration at what they perceive to be the marginalization of the Tribunal. The President of the Tribunal, Judge Antonio Cassese, appeared before us just a month ago and personally relayed to all of us the lack of compliance with the Tribunal's orders and, even more disappointingly, the lack of adequate support for its efforts.

Some have attempted to persuade us all that justice and the peace process are unrelated — even inconsistent — in Bosnia and Herzegovina and therefore they should not be addressed together in the same resolution. We find this a most frightening, patronizing and obviously illogical theory that may only serve shortsightedness and the enemies of peace. Lasting peace must be built on real reconciliation, which, in turn, must be founded upon justice. The Tribunal deserves our full moral and intellectual support and its cry for assistance must be amplified until the Tribunal no longer cries out for the help that we are all obliged to provide it.

It has been suggested that some capitals find the reference in draft resolution before us to the unanimous resolution of the judges of the Tribunal as offensive or embarrassing. Logic dictates that it is not that resolution which is embarrassing, but in fact the very lack of support received by the Tribunal and its need to cry out in such a fashion. Nonetheless, it is not our intention to embarrass anyone here. It would be our advice to the sponsors to delete this reference if that would aid some delegations in supporting the draft before us and bringing about consensus. We trust that the point has already been made.

Once again, in advance, let me thank members for their support. We urge them to vote tomorrow in favour of the draft before us, and, if possible, to sponsor it. Their support will help to end the war and translate it into a lasting peace for Bosnia and Herzegovina and its people.

Finally, I would like to make one very brief point. Peace is before us and we all must work together to make it a reality. I would hope that I have not offended anyone here today. I apologize if I have been too direct for some. Nonetheless, teamwork and cooperation in achieving the most illusive goal of a lasting peace do require clarity and frankness — and that includes the ongoing debate and dialogue of this General Assembly.

The Acting President: I now call on the representative of Egypt to introduce draft resolution A/51/L.62.

Mr. Abdel Aziz (Egypt): I have the pleasure to speak here today on behalf of the 24 sponsors of the draft resolution on agenda item 56, entitled "The situation in Bosnia and Herzegovina", as contained in document A/51/L.62. The following countries joined as sponsors of the draft resolution after its formal completion: Albania, Austria, Oman, Slovenia and Tunisia.

A series of consecutive events marked the starting point of the implementation of a negotiated political settlement of the conflicts in the former Yugoslavia: the signing on 14 December 1995 of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto, followed by the signing of the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina on 10 November 1995 and finally the adoption of the Conclusions of the Peace Implementation Conference held in London on 8 and 9 December 1995, in particular its decision to establish a Peace Implementation Council and a Ministerial Steering Board. All these events preserved in particular the independence,

sovereignty, legal continuity and territorial integrity of Bosnia and Herzegovina within its internationally recognized borders.

The Security Council has been active during the past year in undertaking the necessary measures in accordance with the Peace Agreement through several resolutions on the subject. The sponsors therefore consider of the utmost importance that the General Assembly, in its capacity as the representative body of all States Members of the United Nations, consider the subject every year in order to evaluate the situation in Bosnia and Herzegovina and adopt a resolution containing the Assembly's views on the latest developments in this situation under the agenda item before us today.

In the past two months, several important events relating to the situation in Bosnia and Herzegovina took place. The sponsors would like to welcome the conclusions of the meeting of the Ministerial Steering Board and of the Presidency of Bosnia and Herzegovina held in Paris on 14 November 1996, in particular the adoption of the Guiding Principles of the two-year Civilian Consolidation Plan of the peace process. We also welcome the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996, which approved an Action Plan for the first 12-month period of the Civilian Consolidation Plan of the Peace Agreement, as well as the adoption of Security Council resolution 1088 (1996) of 12 December 1996, establishing the multinational Stabilization Force as the successor to the multinational Implementation Force and extending the mandate of the United Nations Mission in Bosnia and Herzegovina including the International Police Task Force.

In order to evaluate the developments of the past year in the light of these latest important events, it was necessary for the General Assembly to take stock of the progress achieved and to relate this progress to the Peace Agreement, taking duly into consideration the need for effective implementation of all aspects of the Agreement, not only some of its aspects.

One of the major achievements was the holding of the elections called for in Annex 3 of the Peace Agreement under the capable auspices of the Organization for Security and Cooperation in Europe (OSCE). Notwithstanding some reported violations and despite the fact that some indicted war criminals took active part in various stages of the elections, the sponsors welcome the results of the elections and express the hope that the violations committed shall not be repeated in the municipal elections to be held under the auspices of OSCE in 1997. In the sponsors' view, the prompt formation and functioning of new common institutions in Bosnia and Herzegovina, particularly in Sarajevo, require all parties to fully cooperate in good faith, as well as massive assistance from the international community.

Another major achievement was the signing of the Subregional Arms Control Agreement in Vienna on 26 January and in Florence on 14 June 1996. Regrettably, this Agreement has not yet been implemented in good faith and with full transparency. Various press reports about the armaments in the possession of the parties, in particular the Serb party, indicate a lack of political will to implement the Agreement as an essential and integral part of the Peace Agreement. The sponsors welcome the signing of the Agreement and stress that only the full implementation of its provisions in transparency and good faith can contribute to the establishment of the right balance leading to a lasting peace and stability.

Mutual recognition among all the successor States to the former Socialist Federal Republic of Yugoslavia within their internationally recognized borders is another achievement. The sponsors stress the importance they attach to full normalization of relations, including the immediate establishment of diplomatic relations among those States, in accordance with the Peace Agreement.

Some other aspects of the implementation of the Peace Agreement are of serious concern to the sponsors. The first is the varying levels of cooperation by the parties with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. Despite repeated complaints by the Tribunal and its President to the Security Council, and despite the conclusions of the third annual report of the Tribunal indicating that the Republic of Bosnia and Herzegovina is the only party cooperating with the Tribunal in the implementation of arrest warrants issued for indictees and that the Republika Srpska is not cooperating in the implementation of such warrants, no specific action has been taken, either by the Security Council or by the international community, to press for the full cooperation of the parties with the Tribunal in this matter. The sponsors believe that there is an essential role for the international community, including SFOR, to ensure the implementation of the arrest warrants issued by the Tribunal.

Another source of serious concern are the continuing obstructions faced by refugees and displaced persons wishing to return to their homes. This problem, in the view of the sponsors, requires a two-level approach: first, full cooperation of the parties and relevant States and international organizations, in particular the Office of the United Nations High Commissioner for Refugees (UNHCR), to enhance the conditions necessary for return; and secondly, the adoption of a regional approach to the issue. In this context, the sponsors stress that full respect for human rights and fundamental freedoms is essential for facilitating the return of refugees and displaced persons as well as for establishing a healthy climate for peace.

The concerns expressed by the sponsors should be seen in the light of the lack of accurate information about the level of cooperation with the Tribunal and compliance with its orders, the status and implementation of the Subregional Arms Control Agreement and the status and programme for the return of refugees and displaced persons to and within Bosnia and Herzegovina. We would like to see timely information about all issues be made available on a continual basis to the General Assembly.

In conclusion, allow me to reiterate the firm conviction of the sponsors that the responsibility for consolidating peace lies primarily with the authorities of Bosnia and Herzegovina, as was confirmed in the joint declaration adopted in Geneva on 14 August 1996, and that the role of the international community remains essential. The sponsors also underline the relationship between the fulfilment by the parties of their commitments under the Peace Agreement and the readiness of the international community to continue its efforts, but at the same time stress the need to apply this conditionality in a manner that differentiates between those who cooperate and those who do not.

In view of the extensive consultations that took place today on the draft resolution aimed at achieving consensus, the sponsors decided to amend the draft resolution as follows: first, to merge preambular paragraphs 9 and 11 related to the work of the International Tribunal for the former Yugoslavia; secondly, to delete preambular paragraph 12; thirdly, to delete, in the fourth and fifth lines of operative paragraph 6, the phrase

> "including the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)";

fourthly, to amend the beginning of operative paragraph 10 to read as follows

> "Welcomes the formation of the multinational Stabilization Force, authorized by the Security Council, as the successor...";

fifthly, to insert at the beginning of the last line of operative paragraph 12 the word "particularly", so that the beginning of this line would read

> "particularly in Sarajevo"; and

sixthly, to replace, in the sixth line of operative paragraph 13, the word "demands" by the word "reiterates".

The sponsors have already tabled these amendments to be issued as a revised version of draft resolution A/51/L.62. We hope that these amendments will make it possible to adopt the draft resolution tomorrow by consensus.

The Acting President: In accordance with General Assembly resolution 3369 (XXX) of 10 October 1975, I now call on the Observer for the Organization of the Islamic Conference.

Mr. Peyrovi (Organization of the Islamic Conference): In view of the time factor and of the fact that the delegations of several States members of the Organization of the Islamic Conference (OIC) have already spoken on this agenda item, our intervention this afternoon will be brief.

The OIC welcomed the signing of the Dayton Peace Agreement about one year ago, which aimed at the restoration of peace after four years of brutal war and indiscriminate killing of innocent Bosnian civilians in the name of "ethnic cleansing" by the Serbs. It welcomed the ceasefire and the elections held last September under the Dayton Agreement and has consistently emphasized the importance of ensuring the full, impartial and effective implementation of the Peace Agreement.

We have observed with much disappointment, however, that while the Government of Bosnia and Herzegovina has unquestioningly fulfilled its obligations and openly demonstrated its desire to realize the total package of undertakings and commitments prescribed in the Dayton Peace Accords, many of the consequences of the genocide and "ethnic cleansing" still remained to be undone. And in the disturbed scenario, the aim of a unified, multi-ethnic, multicultural State of Bosnia and Herzegovina, with internationally recognized boundaries

and visibly operational national institutions, continues to face the hurdles that have become all too familiar.

The task of the reconstruction of the Bosnia and Herzegovina nation-State is at this moment being seriously impeded by, among other things, the question of the return of refugees and displaced persons to their homes in honour and under secure conditions. Another equally important issue is the delays in the prosecution of those persons that have been indicted by the International war-crimes Tribunal for their heinous crimes against humanity in the territory of the former Yugoslavia. The arduous work of the Tribunal is being seriously undermined by the lack of cooperation by certain parties to the Dayton Agreement and by the chronic shortage of funds and other necessary resources, even for the exhumation of mass graves.

As a number of speakers have correctly pointed out, the stubborn barriers to the return of refugees and displaced persons to their homes, in dignity and security, are now also affecting the implementation of the democratization process, especially the preparations for the holding of the municipal elections next year, which, we hope, will be conducted under strong international supervision. Likewise, the cooperation being shown by the Government of Bosnia and Herzegovina with the International war-crimes Tribunal in the discharge of its work needs to be emulated by others in the region, notably the Serbs, not only to demonstrate that they are serious about implementing the Dayton Accord, but more importantly, to lend credibility to the notions of accountability and justice, which are crucial in the challenge of reconstructing the multi-ethnic and multicultural State of Bosnia and Herzegovina.

I will now report briefly on the essential elements of the resolution on the Republic of Bosnia and Herzegovina adopted by the Twenty-fourth Ministerial Meeting of the Organization of the Islamic Conference held in Jakarta, Indonesia, last week. The Conference reaffirmed its commitment to the legal continuity and sovereignty of the State of Bosnia and Herzegovina within its internationally recognized boundaries and fully supported the establishment of a democratic, multi-ethnic and multicultural State of Bosnia and Herzegovina. It reiterated the position of the OIC member States of participating fully in the implementation of all aspects of the Dayton Peace Agreement. The Conference emphasized the importance of ensuring the full, effective, consistent and impartial implementation of the Dayton Peace Agreement. It urged the international community — particularly the members of the United Nations Security Council, the five-nation Contact Group on Bosnia and Herzegovina and the Peace Implementation Council — to support the peaceful and democratic reintegration of the State of Bosnia and Herzegovina. It expressed grave concern that the conditions stipulated under the Dayton Peace Agreement for the holding of free and fair elections were not met in the 14 September elections, specifically in the Serb Entity. The Conference also expressed serious concern over the negative role played by separatists during the elections and cautioned the international community about the threats posed to the democratic reunification of the State of Bosnia and Herzegovina.

The Conference underlined the need for the international community to provide strong and continuous political support to the effective and consistent implementation of the Action Plan of the Peace Implementation Council for Bosnia and Herzegovina, which was adopted at the London Conference of the Council, held on 4 and 5 December 1996. The Action Plan seeks to stabilize peace, speed up the peaceful and democratic reintegration of Bosnia and Herzegovina and preserve that country's sovereignty, political independence and territorial integrity. The Conference stressed the vital importance of ensuring the freedom of movement of people, goods, services and information throughout the country, as well as the importance of the safe and secure return of refugees and displaced persons to their places of origin in a democratized and reintegrated Bosnia and Herzegovina. The Conference emphasized the need for vigorous actions against separatists and called on the international community to support the viable, effective and continuous functioning of the common institutions for the smooth reintegration of the State of Bosnia and Herzegovina. It urged the Peace Implementation Council to undertake all necessary measures to establish effective airspace control and frontier control on all the internationally recognized borders of Bosnia and Herzegovina.

The Conference urged the international community to take concrete measures for the arrest of all indicted war criminals, notably Karadzic and Mladic, and it called on the Security Council to utilize the enforcement procedures under the United Nations Charter, including those envisaged under Chapter VII, to secure the delivery of these criminals by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Croatia. The Conference requested Member States to support the important efforts of the International Criminal Tribunal for the Former Yugoslavia to thoroughly investigate the crimes against humanity

perpetrated by the Serbs against the Bosnian people. It also requested Member States to provide urgently needed financial assistance to the Tribunal, particularly so that it could locate mass graves, identify victims of genocide and notify surviving family members. The Conference called on the Security Council to ensure the compliance of the Federal Republic of Yugoslavia and the Republika Srpska Entity of Bosnia and Herzegovina in accordance with the Dayton Peace Agreement, the orders of the International Criminal Tribunal for the Former Yugoslavia and the relevant provisions of Security Council resolution 1074 (1996). The Conference supported all necessary measures to strengthen and render effective the State, economic and social institutions of Bosnia and Herzegovina, thus helping the country speed up the reconstruction process and establish external relations with the rest of the world, as well as to regularize the debt problems of Bosnia and Herzegovina.

The Conference reaffirmed its strong support for Security Council resolution 777 (1992) and General Assembly resolution 47/1, which decided that the Federal Republic of Yugoslavia should apply to join the United Nations as a new member and should not inherit the seat of the former Socialist Federal Republic of Yugoslavia, which has ceased to exist. For the establishment of local democratic institutions, the Conference supported the holding of free, fair and democratic elections on the municipal level, supervised by Organization for Security and Cooperation in Europe (OSCE).

These are some of the highlights of the resolution that are of immediate relevance to the General Assembly's deliberations this afternoon. In the interest of brevity, I selected them from among other points, all of which are of course relevant to the issue of Bosnia and Herzegovina. The complete text of the resolution will be made available to interested delegations fairly soon.

In conclusion, I would like to add the OIC's full support for the draft resolution before the General Assembly in document A/51/L.62, which was so eloquently introduced by the representative of Egypt. I would also like to assure representatives of my Organization's continued and unqualified resolve to work with the United Nations in supporting the implementation of the Dayton Peace Agreement for, by so doing, we shall, collectively, be contributing towards the attainment of justice, peace, tranquillity and progress in a distressingly troubled part of the world. We shall also be fulfilling the obligations that are the *raison d'etre* of our two organizations: to save succeeding generations from the scourge of war on God's Earth; to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women; and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained.

The Acting President: We have heard the last speaker in the debate on this item.

I should like to remind delegations that, as previously announced, action on draft resolution A/51/L.62 will be taken tomorrow.

The President took the Chair.

Programme of work

The President: At the request of the representative of Burundi, consideration of agenda item 43, "The situation in Burundi", scheduled for tomorrow morning, has been postponed.

The meeting rose at 5.55 p.m.